

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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MICHAEL THOMAS MERRILL,

Plaintiff,

v.

Case No. 22-cv-0115-bhl

NATIONWIDE CAPITAL SERVICES LLC,

Defendant.

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**ORDER**

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On January 28, 2022, Plaintiff Michael Thomas Merrill filed a complaint naming Nationwide Capital Services LLC (Nationwide) as a defendant. (ECF No. 1.) On March 15, 2022, he filed proof of service on the designee for Nationwide's registered agent. (ECF No. 8.) Despite this apparent service, no one from Nationwide has appeared or answered. As a result, Plaintiff moved for entry of default, (ECF No. 13), and the Clerk of Court entered default against Nationwide on September 28, 2022. On November 3, 2022, Plaintiff filed a motion for default judgment. (ECF No. 14.) Nationwide again did not respond to this motion. Under Fed. R. Civ. P. 55(b)(2), to effectuate a default judgment, a court may conduct hearings if it needs to "determine the amount of damages" at issue. Because this case necessitates a hearing on damages, the Court will schedule one for February 7, 2023 at 10:00 a.m. Further, out of an abundance of caution, the Court will order Plaintiff to serve a copy of this Order, notifying Nationwide of the date of the default judgment hearing, on Nationwide's registered agent or his/her designee by January 17, 2023.

**IT IS HEREBY ORDERED** that pursuant to Fed. R. Civ. P. 55(b)(2) a hearing to determine the amount of damages applicable to any default judgment entered against Defendant Nationwide Capital Services LLC is scheduled for **February 7, 2023 at 10:00 a.m. in Courtroom 320, 517 E. Wisconsin Ave., Milwaukee, WI 53203.**

**IT IS FURTHER ORDERED** that, on or before **January 17, 2023**, Plaintiff must serve a copy of this Order on Defendant Nationwide Capital Service LLC's registered agent or his/her designee.

Dated at Milwaukee, Wisconsin on December 2, 2022.

*s/ Brett H. Ludwig*

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BRETT H. LUDWIG

United States District Judge